

PROB 12B (Rev. 08/18) <p style="text-align: center;">SUPERVISION REPORT</p> <p style="text-align: center;">REQUEST FOR MODIFYING THE CONDITIONS OR TERM OF SUPERVISION WITH THE CONSENT OF THE OFFENDER</p> <p style="text-align: center;">(Probation Form 49, Waiver of Hearing is Attached)</p>				U. S. Probation Office Eastern District of Michigan	PACTS 34871	DATE 12/11/2018
NAME McMICHAEL, Thaddeus Lewis		OFFICER Jeffry W. Konal		CHIEF JUDGE Denise Page Hood	DOCKET # 13-CR-20443-01	
ORIGINAL SENTENCE DATE 01/16/2014	SUPERVISION TYPE Supervised Release	CRIMINAL HISTORY CATEGORY I	TOTAL OFFENSE LEVEL 30	PHOTO 		
COMMENCED 10/09/2018						
EXPIRATION 10/08/2023						
REPORT PURPOSE REQUEST TO MODIFY CONDITIONS						
RECOMMENDATION MODIFICATION						
ORIGINAL OFFENSE Count 1: 18 U.S.C. §§ 2252A(a)(2) and 2252A(b)(1), Receipt of Child Pornography						
SENTENCE DISPOSITION Custody of the Bureau of Prisons for a term of 72 months, to be followed by a five-year term of supervised release.						
ORIGINAL SPECIAL CONDITIONS <ol style="list-style-type: none"> 1. The defendant shall participate in a program approved by the probation department for mental health counseling, including anger management, if deemed necessary. 2. The defendant shall submit to a psychological/psychiatric evaluation as directed by the probation officer, if necessary. 3. The defendant shall take all medications as prescribed by a physician whose care he/she is under, including a psychiatrist, in the dosages and at the times proposed. If the defendant is prescribed a medication, he/she shall take it, and the defendant shall not discontinue medications against medical advice. 4. The defendant shall enroll and participate in a Cognitive Behavior Therapy program (CBT) as approved by the probation officer, if necessary. 5. The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. 16901, et seq.) as directed by the probation officer, the United States Bureau of Prisons, or any state sex offender registration agency in which he/she resides, works, is a student, or was convicted of a qualifying offense. 6. The defendant shall successfully complete any sex offender diagnostic evaluations, treatment/counseling programs and polygraph examinations as directed by the probation officer. Reports pertaining to sex offender assessments, treatment, and polygraph examinations shall be provided to the probation officer. As directed by the Court, the defendant shall pay all or part of the cost of the diagnostic evaluations, treatment or counseling programs, and polygraph examinations based upon their ability to pay. 7. The defendant shall not associate with minor children under the age of eighteen (18), except in the presence of a responsible adult who is aware of the nature of the defendant's background and current offense, and 						

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who has been approved by the probation officer. The defendant shall not frequent places where children congregate on a regular basis (such as, but not limited to school grounds, playgrounds, child toy stores, video arcades, etc.).

8. The defendant shall notify anyone they date or marry with a minor child under the age of eighteen (18) of their conviction.
9. The defendant shall not purchase, sell, view, or possess images, in any form of media or live venue that depict pornography, sexually explicit conduct, child erotica, or child nudity. The defendant shall not patronize any place where such material or entertainment is available.
10. The defendant shall provide the probation officer with accurate information about all computer systems (hardware/software), all passwords, and Internet Service Provider(s), that the defendant has potential and/or reasonable access to and abide by all rules of the United States Probation Department's Computer Monitoring Program. The defendant shall only access a computer approved by the United States Probation Department. The defendant shall consent to the probation officer conducting periodic, unannounced examinations of all computer systems, which may include computer monitoring software at the defendant's expense. For the purpose of accounting for all computers, hardware, software and accessories, the defendant shall submit his/her person, residence, computer and/or vehicle to a search conducted by the United States Probation Department at a reasonable time and manner. You shall inform any other residents that the premises and your computer may be subject to a search pursuant to this condition. The defendant shall provide the probation officer with access to any requested financial information including billing records (telephone, cable, internet, satellite, etc.).
11. The defendant shall only access the Internet through one Internet-capable device. All other Internet capable devices, such as cellular phones and gaming consoles, shall not have the Internet connected. The defendant is prohibited from accessing any online computer service at any location including, but not limited to public libraries, Internet cafes, and places of employment or education without the permission of the probation officer.
12. The defendant shall have employment pre-approved by the probation department. If the defendant's employment requires the use of a computer, the defendant shall notify the employer of the nature of his conviction and this notification must be confirmed by the probation officer.

Criminal Monetary Penalty: Special Assessment \$100.00 (paid).

PETITIONING THE COURT

To modify the condition(s) of supervised release as follows:

REMOVE:

"The defendant shall successfully complete any sex offender diagnostic evaluations, treatment/counseling programs and polygraph examinations as directed by the probation officer. Reports pertaining to sex offender assessments, treatment, and polygraph examinations shall be provided to the probation officer. As directed by the Court, the defendant shall pay all or part of the cost of the diagnostic evaluations, treatment or counseling programs, and polygraph examinations based upon their ability to pay."

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“The defendant shall provide the probation officer with accurate information about all computer systems (hardware/software), all passwords, and Internet Service Provider(s), that the defendant has potential and/or reasonable access to and abide by all rules of the United States Probation Department’s Computer Monitoring Program. The defendant shall only access a computer approved by the United States Probation Department. The defendant shall consent to the probation officer conducting periodic, unannounced examinations of all computer systems, which may include computer monitoring software at the defendant’s expense. For the purpose of accounting for all computers, hardware, software and accessories, the defendant shall submit his/her person, residence, computer and/or vehicle to a search conducted by the United States Probation Department at a reasonable time and manner. You shall inform any other residents that the premises and your computer may be subject to a search pursuant to this condition. The defendant shall provide the probation officer with access to any requested financial information including billing records (telephone, cable, internet, satellite, etc.).”

“The defendant shall only access the Internet through one Internet-capable device. All other Internet capable devices, such as cellular phones and gaming consoles, shall not have the Internet connected. The defendant is prohibited from accessing any online computer service at any location including, but not limited to public libraries, Internet cafes, and places of employment or education without the permission of the probation officer.”

ADD:

“The defendant shall successfully complete any sex offender diagnostic evaluations, treatment or counseling programs, as directed by the probation officer. Reports pertaining to sex offender assessments and treatment shall be provided to the probation officer. Based on the defendant’s ability to pay, the defendant shall pay the cost of diagnostic evaluations, treatment or counseling programs in an amount determined by the probation officer.”

“The defendant shall be required to submit to periodic polygraph testing at the discretion of the probation officer as a means to ensure compliance with the requirements of supervision or treatment. No violation proceedings will arise solely on the results of a polygraph examination. Based on defendant’s ability to pay, the defendant shall pay the cost of the polygraph examination in an amount determined by the probation officer.”

“The defendant shall participate in the Computer/Internet Monitoring Program (CIMP) administered by the United States Probation Department. The defendant shall abide by the Computer/Internet Monitoring Program Participant Agreement in effect at the time of supervision and comply with any amendments to the program during the term of supervision. Due to the advances in technology, the Court will adopt the amendments to the Computer/Internet Monitoring Programs as necessary. For the purpose of accounting for all computers, hardware, software and accessories, the defendant shall submit his/her person, residence, computer and/or vehicle to a search conducted by the U.S. Probation Department at a reasonable time and manner. The defendant shall inform any other residents that the premises may be subject to a search pursuant to this condition. The defendant shall provide the probation officer with access to any requested financial information including billing records (telephone, cable, internet, satellite, etc.).”

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On October 5, 2018, THADDEUS LEWIS McMICHAEL signed a Probation Form 49, Waiver of Hearing to Modify Conditions of Probation/Supervised Release, to include the above noted modifications.

CAUSE

This petition is to modify McMICHAEL's special conditions of supervised release. Since the date of sentencing, there have been changes in the supervision of sex offenders and updates to the policies and procedures for the supervision of sex offenders within the United States Probation Department for the Eastern District of Michigan. Updating these conditions will better assist the probation department in supervising this offender in a more proactive and productive manor, as well as in accordance with these updates.

Sex offender treatment with polygraph testing would further increase the likelihood of honesty during the offender's treatment and will help protect the community. The Association for the Treatment of Sexual Abusers (ATSA) advises that polygraph is an important component of sex offender treatment. Research shows sex offenders who take polygraphs are more likely to succeed on supervision than those who do not. This modification will allow for continued polygraph testing upon completion of treatment to ensure continued compliance with terms and conditions of supervision, the law, and what was learned in treatment to enhance long-term success.

McMICHAEL has been advised of his right to counsel in this matter and he has agreed to waive this right by signing the attached waiver of hearing form.

A criminal record check completed through Access to Law Enforcement Systems (ATLAS) conducted on November 7, 2018, revealed no new criminal activity or outstanding warrants.

If your Honor agrees with this recommendation, please indicate below and return this correspondence to the probation department. If your Honor does not agree, please indicate below and direct the probation department as to how the Court wishes to proceed.

Should your Honor have any questions or concerns, this writer may be reached at the number below.

SENIOR PROBATION OFFICER s/Jeffry W. Konal/slg 313 234-5407	DISTRIBUTION Court
SUPERVISING PROBATION OFFICER s/Russell W. LaForet 313 234-5269	PROBATION ROUTING Data Entry

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THE COURT ORDERS:					
<input checked="" type="checkbox"/> Modification as Noted Above					
<input type="checkbox"/> Other					
<u>s/Denise Page Hood</u> Chief United States District Judge					
<u>January 9, 2019</u> Date					